

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE: Nabil Nyazi</b>  <b>Debtor(s)</b>  <b>MANUFACTURERS AND TRADERS TRUST COMPANY ALSO KNOWN AS M&amp;T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB</b>  <b>Movant</b>  <b>vs.</b>  <b>Nabil Nyazi</b>  <b>Debtor(s)</b>  <b>Scott F. Waterman,</b>  <b>Trustee</b>	<b>BK NO. 20-12007 AMC</b>  <b>Chapter 13</b>  <b>Related to Document No. 39</b>  <b>Hearing Date: 10/18/2023</b>
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**RESPONSE TO DEBTOR’S MOTION TO SELL REAL ESTATE**

MANUFACTURERS AND TRADERS TRUST COMPANY ALSO KNOWN AS M&T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB (“**Creditor**”), by and through its undersigned counsel, hereby enters this response to the Debtor’s Motion to Sell Real Estate located at 2156 Sproul Road, Broomall, PA 19008 (the “**Property**”) and avers as follows:

1. Creditor’s loan is secured by a mortgage lien on Debtor’s Property at 2156 Sproul Road, Broomall, PA 19008 which is co-owned by the non-filing co-debtor spouse of the Debtor.
2. Debtor’s motion references the tenancy by the entireties exemption in paragraph 3 of the motion and in paragraph 7 of the motion that “[a]ll net proceeds resulting from the sale will be distributed to the debtor and their spouse.” However, nowhere in the motion does it state how, when or in what manner secured creditors of the Property would be paid off.
3. Creditor would not object to the sale so long as the Order entered is clear that the sale of Property is not free and clear of Creditor’s mortgage lien and that said mortgage lien shall transfer to the proceeds from the Property with its payoff provided before time of settlement whereupon Creditor and other lienholders of the Property paid in full pursuant to section 363(b) of the Bankruptcy Code.

4. The settlement date is anticipated to be October 19, 2023 which is just one day after the scheduled hearing of the debtor's instant motion.

WHEREFORE, the Creditor Manufacturers and Traders Trust Company also known as M&T Bank Successor by Merger to Hudson City Savings Bank, FSB, prays that the Court enters an Order requiring it and other secured creditors of the Property to be paid in full.

Respectfully submitted,

Date: October 6, 2023

/s/ Mark A. Cronin  
Mark A. Cronin, Esquire  
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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Nabil Nyazi**  
**Debtor(s)**

**BK NO. 20-12007 AMC**

**Chapter 13**

**MANUFACTURERS AND  
TRADERS TRUST COMPANY  
ALSO KNOWN AS M&T BANK  
SUCCESSOR BY MERGER TO  
HUDSON CITY SAVINGS BANK,  
FSB**

**Movant**

**vs.**

**Nabil Nyazi**

**Debtor(s)**

**Scott F. Waterman,**

**Trustee**

**CERTIFICATE OF SERVICE  
RESPONSE TO MOTION TO SELL**

I, Mark A. Cronin of KML Law Group, P.C., certify that I am, and at all times hereinafter mentioned was, more than 18 years of age and that on October 6, 2023, I served the above captioned pleading, filed in the proceeding on the parties at the addresses shown below;

Debtor(s)

Nabil Nyazi  
2156 Sproul Road  
Broomall, PA 19008

Attorney for Debtor(s) (via ECF)

Richard N. Lipow, Esq.  
43 Stonehedge Drive  
Glenmoore, PA 19343

Trustee (via ECF)

Scott F. Waterman  
2901 St. Lawrence Ave.  
Suite 100  
Reading, PA 19606

Method of Service: electronic means or first-class mail.

Dated: October 6, 2023

/s/ Mark A. Cronin

Mark A. Cronin Esquire  
Attorney I.D. 58240  
KML Law Group, P.C.  
BNY Mellon Independence Center  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
215-627-1322  
mcronin@kmlawgroup.com

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Nabil Nyazi**

**Debtor(s)**

**MANUFACTURERS AND TRADERS TRUST  
COMPANY ALSO KNOWN AS M&T BANK  
SUCCESSOR BY MERGER TO HUDSON CITY  
SAVINGS BANK, FSB**

**Movant**

**vs.**

**Nabil Nyazi**

**Debtor(s)**

**Scott F. Waterman,**

**Trustee**

**BK NO. 20-12007 AMC**

**Chapter 13**

**Related to Document No. 39**

**Hearing Date: 10/18/2023**

**ORDER**

Upon consideration of the Motion to Sell Real Property filed by debtor and the filing of Creditor Manufacturers and Traders Trust Company also known as M&T Bank Successor by Merger to Hudson City Savings Bank, FSB response thereto, and after a hearing before the Court and for good cause shown, it is hereby

ORDERED that the Motion to Sell Real Estate is granted subject to the mortgage liens, including that of Creditor Manufacturers and Traders Trust Company also known as M&T Bank Successor by Merger to Hudson City Savings Bank, FSB, being paid in full at the time of settlement, as well as any other secured claims, taxes, and settlement cost. Any remaining net proceeds may then be distributed to the debtor and spouse at settlement.

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BY THE COURT:

DATE: \_\_\_\_\_

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HON. ASHELY M. CHAN  
U.S. BANKRUPTCY JUDGE